

PROPOSED REPLY TO THE QUESTIONS SUBMITTED BY THE CHAIRMAN, COMMISSION
ON GOVERNMENT SECURITY CONCERNING EXECUTIVE ORDER 10501

1. No distinction is made between the term "security information" as used prior to 15 December 1953 and the term "defense information" as used subsequently.

2. Yes, since they are considered to be synonymous. This Agency has not used the term "security information" since 15 December 1953.

3. It is roughly estimated that at least 85% of all documents originated in this Agency are classified under Executive Order 10501. There is no other authority for the classification of information as defense information or security information.

4 and 5. Because of compartmentation of the Agency it would be very expensive and time consuming to arrive at even a rough estimate of the percentages of the three classifications of documents originating in or received by this Agency.

6. Only to the extent of interpreting the definition to include "prejudicial to the intelligence activities of the nation."

7. It should be retained. There are various categories of information which are not sensitive enough to meet a SECRET classification but which would, if revealed to unauthorized source, be prejudicial to our intelligence activities.

8. It should not be abolished.

9. If the classification of CONFIDENTIAL were abolished, it would necessitate an enlargement of the definition of SECRET. This would tend to weaken the degree of protection now given to SECRET material because of the increase in volume.

a. A tremendous burden from the standpoint of personnel and man-hours would be expended since all material now classified as CONFIDENTIAL would have to be reviewed and removed from the CONFIDENTIAL category.

10. Certain categories of administrative documents regarding personnel would be upgraded. Examples of downgrading would be non-current and non-sensitive material as the passage of time would permit.

11. Nongovernmental contractors in general do not feel that regulations for document classification as enforced by this Agency under the provisions of Executive Order 10501, Section 1, hamper their performance of Agency contracts.

12. The authority to apply original classification has been delegated through the establishment of a Classification Control Network consisting of an Agency Classification Control Officer and Assistant Classification Control Officers.

13. Approximately 15% of the total number of employees are authorized to apply original classifications.

14. There is no appreciable difference in the percentage indicated above for the field as against departmental.

15. Same security classification as the enclosure with an "automatic downgrading" to unclassified if the transmittal letter contains no classified information.

16, 17, 18, and 19. It is believed that background information on some of the problems the Central Intelligence Agency has encountered in downgrading and declassifying material might be helpful. During the latter part of 1955 a survey was conducted of those major components producing completed intelligence reports to determine what would be gained by reviewing these reports for the purpose of downgrading or declassification. The survey disclosed that in practically every instance completed intelligence reports cited classified individual document sources. To review completed intelligence reports, therefore, would first require a review of the cited individual documents.

The problem is further complicated by the fact that in such a review the controlling factor in most instances is the protection of intelligence sources and methods rather than the substantive content. In this connection there were many intelligence reports originated during World War II that are still held in a classified status because of the necessity of protecting the sources.

Furthermore, the fact that a series of intelligence documents represents the completion of a particular collection effort does not in many instances warrant a declassification or downgrading. The specific operations through which this particular information was obtained may still be active or working on other collection requirements.

Over and above these considerations on intelligence studies and reports, CIA is faced with an additional security problem in that practically all of its administrative information particularly that connected with Organization functions; namely, official titles, salaries, and numbers of personnel employed must be carried in a classified category. This need is recognized in Section VII of Public Law 110, 81st Congress, 1st Session (1949) which exempts the Agency from the provisions of any other law requiring the publication or disclosure of this type of administrative information. The foregoing, however, does not prevent a continuing review of classified material falling into certain categories such as correspondence, general administrative letters, and memoranda and a few specific types of periodic publications; namely, those which do not cite sources. Automatic downgrading stamps have been and are being used widely in permissive instances. The Agency classification control network has been established to control the application of official classifications and to perform the functions of reviewing classified material for the purpose of downgrading or declassification. Guidance on a continuing basis is furnished to the control network by the CIA Classification Control Officer and also through the medium of Agency regulatory material.

20. No additional storage problems have resulted from downgrading or declassification activities. No serious administrative problems have been encountered.

21. No security problems have been created or intensified as a result of downgrading or declassification activities.

22. Recipients of classified documents are notified when such documents are regraded. The Agency regulations require that the recipients make the necessary changes on the documents. The Agency Library reference copy is marked to reflect the change in classification.

23. This Agency does not maintain a month by month count of documents downgraded or declassified; however, from December 1953 to July 1956 approximately 1,900 CIA documents have been downgraded and approximately 450 CIA documents have been declassified.

24. The Director has assigned to the Chiefs of Agency Components the responsibility for the designation of Assistant Classification Control Officers. These Officers designate authorized classifiers or approximately 15% of total Agency employees, and who are responsible for the continuing review of material for downgrading purposes.

25. The actual document received as UNCLASSIFIED or FOR OFFICIAL USE ONLY is not generally classified higher. Agency documents produced as a result of correlation, analysis and integration of information from such documents with other classified documents usually require a higher classification to be applied to the newly prepared document.

26. If the document is obviously underclassified, the matter would be brought to the attention of the originator with suitable recommendation.

27. Percentages not available, however, the number would be very small.

28. No. The classification of another Agency or Government is normally respected.

29. Executive Order 10501.

30. See paragraph 26.

31 and 32. Any disagreements in the classification of documents received from outside this Agency would be handled on a working level basis, and no central record of such disagreements if any would be maintained.

33. It is not possible to give the number of classification changes as categorized, but our records do indicate that from the period 15 December 1953 through July 1956, approximately 800 items were upgraded, approximately 1,900 items were downgraded and approximately 450 items were completely declassified.

34. All recipients of classified material originated by this Agency and on which the classification has been changed or cancelled are suitably notified.

35. This Agency issues formal notification of classification changes.

36. Nongovernmental contractors, to our knowledge, have not been hampered in their performance of this Agency's contracts under the provisions of Executive Order 10501, Section V (1).

37. See paragraphs 16, 17, 18, and 19.

38. The Central Intelligence Agency's high operational security requirements for custody and safe keeping of classified information causes some complaints but, to our knowledge, this has not hampered non-governmental contractors in their performance of Agency contracts.

39. Classified information is disclosed only to those authorized individuals who require the information in the performance of their official duties.

40. Section 102. (d) (3) of the National Security Act of 1947, as amended provides inter alia "That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure."

41. This Agency, in addition to Executive Order 10501, is guided by Section 102. (d) (3) of the National Security Act of 1947, as amended.

42. Internal and external courier service for TOP SECRET and data classified SECRET and below is performed by a regular organized courier unit. However, special couriers are designated as operational requirements demand.

43. Appropriate accountability records of destruction are maintained as required by Executive Order 10501, Section 9 (b).

44. Prior to the time new employees commence their duties with this Agency, they receive an intensive security indoctrination which includes a briefing of their responsibilities under Executive Order 10501.

45, 46, and 47. The Department of Justice was informally approached by this Agency concerning problems which probably are unique to an intelligence organization. Certain documents previously classified "RESTRICTED" were of such a nature that they could not be properly classified "CONFIDENTIAL" but in their totality would represent information regarding coverage which should not become publicly available. In addition other documents though unclassified should give warning to their users of the problems of copyright and libel inherent in such publications. This Agency was informally advised that Executive Order 10501 was not to be construed as a limitation which would hamper its operations or the integrity of its files. This Agency thereupon adopted the use of the phrase "FOR OFFICIAL USE ONLY" for the protection of these types of information.

48. At the initiation of the contract a Security Officer gives the contractor a comprehensive security briefing at which time the contractor signs a security agreement. The Security Officer along with other Agency personnel insofar as possible assists the contractor in setting up required security measures.

49. See paragraphs 45, 46, and 47.

50. This Agency within the framework of carrying out its mission has fully implemented the provisions of Executive Order 10501.